

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Application of Southern California Edison
Company (U338-E) for a Certificate of Public
Convenience and Necessity Concerning the
Tehachapi Renewable Transmission Project
(Segments 4 through 11)

Application 07-06-031

AERO ENERGY, LLC PROTEST

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Dated: July 30, 2007

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Application of Southern California Edison
Company (U338-E) for a Certificate of Public
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In accordance with Rule 2.6 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), Aero Energy, LLC hereby protests Southern California Edison Company’s (“Edison”) application for a certificate of public convenience and necessity concerning Segment 10 of the Tehachapi Renewable Transmission Project (“TRTP”) filed on June 29, 2007.

Although Aero Energy is still reviewing Edison’s application and associated appendices, Aero Energy’s examination is advanced enough for it to recommend that an evidentiary hearing be held regarding the application. Even at this early stage, Aero Energy can identify two issues that warrant Commission examination.

Edison’s proposed Segment 10 goes through property owned by Aero Energy, which was purchased specifically for the development of wind energy generation.¹ The proposed route of Segment 10 could impact Aero Energy’s proposed intertie to the Sagebrush Line, a privately owned transmission line in Tehachapi.

¹ Aero Energy has a power purchase agreement for 120 MW with Edison executed on March 8, 2005 and approved by the Commission on July 31, 2005. Edison has been aware of the location of Aero Energy’s property since September 19, 2003 when Aero Energy submitted a bid to Edison for the project with proof of site control, which included a map showing the specific parcels of land to be used to satisfy the generation requirement of the PPA.

In addition, according to the attached map showing the proposed route of Segment 10 of SCE's TRTP and the proposed Windhub Substation, there could be adverse downwind impacts on Aero Energy's lower resource that need to be evaluated. Furthermore, Segment 3 of Edison's proposed TRTP (also shown on the attached map), which has already been approved by the Commission, adversely impacts Aero Energy's wind energy development property. In combination with the proposed route of Segment 10, the adverse impacts become more pronounced. As shown on the attached map, Segment 3 already precludes the placement of approximately six wind turbines, amounting to over \$1.5 million per year in losses; over a 20-year PPA that amounts to \$30 million in anticipated losses. If there are significant downwind impacts to Aero Energy's lower resource, Aero Energy could experience even greater losses.

Moreover, Aero Energy's project is not dependent on Edison's TRTP. Aero Energy is in the process of obtaining capacity on one privately owned transmission line and has already obtained capacity on the Sagebrush Line. Thus, although Aero Energy appreciates the need for additional transmission generally in the Tehachapi area for other wind energy projects, the TRTP is creating a loss of already planned wind energy production and a substantial economic loss to Aero Energy.

Further issues may arise as Aero Energy continues its examination of Edison's application. The issues mentioned herein are not intended to be an exclusive list of the issues which Aero Energy may raise in this proceeding upon further examination of Edison's application, testimony, and workpapers.

Accordingly, for the reasons set forth above, Aero Energy protests Edison's application and recommends that it be set for hearing.

Respectfully submitted,

/s/ Alana Steele

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Dated: July 30, 2007

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the **AERO ENERGY, LLC** **PROTEST** in proceeding A.07-06-031 on the service list for A.07-06-031 by serving a copy to each party by electronic mail, or by mailing a properly addressed copy by first-class mail with postage prepaid to each party unable to accept service by electronic mail.

Executed on July 30, 2007, at Los Angeles, California.

/s/ Alana Steele

T. Alana Steele

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